



City of Seattle

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Gregory J. Nickels, Mayor  
**Department of Planning and Development**  
D. M. Sugimura, Director

**CITY OF SEATTLE  
ANALYSIS AND DECISION OF THE DIRECTOR  
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

**Application Number:** 2306078  
**Applicant Name :** James Klontz for Our Lady of Fatima Parish  
**Address of Proposal:** 3214 W. Barrett Street

**SUMMARY OF PROPOSED ACTION**

Master Use Permit to establish use for future construction of a 9,089 sq. ft. gymnasium and classroom addition to an existing private school (Our Lady of Fatima School) and change 6,767 sq. ft. of existing gymnasium to cafeteria and classroom. Parking to remain unchanged.

The following approvals are required:

**Variance** - to allow an addition to provide less than the required front yard.  
(SMC Section 23.424.014, required 20', proposed 5')

**Administrative Conditional Use** - to allow to expand a religious institution in a single family zone. (SMC 23.44.022)

**SEPA** - Environmental Determination (SMC Chapter 25.05)

**SEPA DETERMINATION:** ☐ Exempt ☐ DNS ☐ MDNS ☐ EIS

☒ DNS with conditions

☐ DNS involving non-exempt grading or demolition or  
involving another agency with jurisdiction.

## **BACKGROUND DATA**

### Site and Area Description



The proposal site is the existing Our Lady of Fatima Parish and School in the central area of Magnolia. The site runs from street to street in north/south direction between W. Dravus St. and W. Barrett St. mid block between 32<sup>nd</sup> Ave. W. and 34<sup>th</sup> Ave. W. with a 16 foot public alley on both the east and west side. The street right of way for 33<sup>rd</sup> Ave. W. was vacated at some point in the past. The site is developed with a church related facilities, sanctuary, common room, offices, etc. at the south end of the site and with school related facilities to the north. Surface parking fills the spaces between.

### Development in the Vicinity

The surrounding zone is Single Family 5000 (SF 5000) and the development in the vicinity consists of single family residences which are predominantly one or two stories, with some three story structures. To the south, across W. Barrett St., is a grass playfield improved with baseball diamonds; part of a series of contiguous parcels approximately 2,250 feet long in the north/south direction which are used as athletic fields, a community center, a public pool and an elementary school.

Single family residences across W. Dravus St., directly across from the area of the proposed development and from the requested reduced setback, have a either front or side yards facing the street and, in addition to the setbacks provided on their own properties, benefit from approximately 38 feet of landscaped street right-of-way between their property lines and the curb line.

Rear yards of single family homes line the 16 foot wide paved alleys on either side of the proposal site.

### Proposal Description

Proposed is a 9,089 sq. ft., 30 foot tall addition to the existing elementary school on the site. The new building would contain a gymnasium, two classrooms, a cafeteria and a stage area. Demolition of 1,508 sq. ft. of existing school buildings would take place. Approximately 4,128 sq. ft. of the existing school would be remodeled as part of the project.

The new building is proposed at the north end of the site, contiguous with the existing school building and extending westward a distance of five feet from the north property line for a distance of approximately 140 feet. The site is defined as a through lot in the Land Use Code and, as such, has two front yards, one along each street. Placement to the proposed addition at five feet from the north property line would require variance approval.

In addition to the five foot setback proposed between the new structure and the north property line there is also approximately 27 feet of landscaped area and sidewalk in the street right-of-way between the property line and the paved street. The W. Dravus St. right-of-way is 100 feet wide in the subject block and in several other segments nearby; apparently platted to be a grand boulevard but improved as a standard residential street paved 25 feet in width. In front of the subject site W. Dravus St. is paved an additional 10 feet wide to provide a parking lane along the school.

### Public Comments

The public comment period ended March 3, 2004. Many written comments were received. Public comment was also received at a meeting with neighbors held at the church and attended by the DPD Land Use Planner. Twelve letters expressed support for the project. Seven expressed concern about impacts both existing and expected. Included in these concerns are many involving construction traffic. The alley paving adjacent to the site was observed to have been damaged by heavy construction traffic in the past. Further comments included the following. Extensive landscaping should be incorporated to control height, bulk and scale impacts. Dewatering and paving of the site have caused settling on surrounding properties and new pervious surfaces should be incorporated on the site to compensate for past and contemplated actions. Construction hours should be limited to protect adjacent residential users. Stormwater should be directed away from the western alley where it now flows across the alley and into neighbors' yards. There needs to be a better traffic management plan to control daily traffic conditions. The church and school should create their own driveway and not use the adjacent alleys. Cars should be prevented from speeding down the adjacent alleys. Construction traffic should be excluded from the alley in order to protect the pavement and isolate surrounding residents from noise and vibration as much as possible. A fence and landscaping should be incorporated into the west perimeter of the church property to control vehicle access, provide visual buffer and to direct drainage from the site. Because the institution puts most of the traffic on the alleys it should be forced to pay for most of the costs of alley repair.

## **ANALYSIS - VARIANCE**

Pursuant to SMC 23.40.020 C, variances from the provisions or requirements of this Land Use Code shall be authorized when all the facts and conditions listed below are found to exist. Analysis of the variance requested follows each statement of the required facts and conditions.

- 1. Because of the unusual conditions applicable to the subject property, including size, shape, topography, location or surroundings, which were not created by the owner or applicant, the strict application of the Lands Use Code would deprive the property the rights and privileges enjoyed by other properties in the same zone or vicinity;***

Our Lady of Fatima Parish and School are long established at this location in central Magnolia. Both have grown over the years. The school is located at the north end of the site, and the church is at the south end. Between the two building elements is a paved area used for parking on Sundays and other times when religious services are attended and by the school as a paved play area during school hours. The youngest children play closest to the school building, in an area “tucked” into the “U” shaped formed by the existing buildings and further extended by the proposed addition.

Over time the physical plant needs of the school have grown. The old gym is not large enough to meet the standards for league play. The cafeteria is dated. Additional drama space is needed. The school is undertaking the proposed project to meet these changed needs.

The existing site is a small one for such a combination of uses. The school in particular is short on play area. It is important to the school to preserve the areas of on-site play area, especially those close to the school buildings which are most secure and best suited for younger students.

Elementary schools are recognized by the Seattle Land Use Code as appropriate uses in all of Seattle’s residential zones. Many churches in the city co-locate with affiliated schools. Schools, in general, are able to provide adequate on-site areas for physical education. The unique situation on the proposal site dictates that the proposed addition, necessary for the school, be located as far north as possible in order to conserve outdoor play space. The Land Use Code requires two front yard setbacks for this site, one on each street frontage at opposite ends of the site. The Code in combination with the unique configuration of the site and existing buildings are combining to impinge on necessary outdoor play area for the younger children. It is a right and privilege enjoyed by elementary schools in general to have a sequestered play outdoor play area for young children which is close to the school, observable from the school, protected to a degree from outside intruders and from automobiles using parking areas, alleys or streets. On this unique proposal site the area available for this play area is found only “tucked” into the “L” shaped building. Construction of the proposed addition with its requirements for juxtaposition to the existing school, encroaches on the essential play area. Moving the building as far north as reasonably compatible with surrounding uses preserves the play area to the greatest extent possible.

A unique and unusual configuration of existing buildings and spaces exists here which makes it difficult to create both a modern educational plant and adequate play area on the site.

2. *The requested variance does not go beyond the minimum necessary to afford relief, and does not constitute a grant of special privilege inconsistent with the limitations upon other properties in the vicinity and zone in which the subject property is located;*

The Church and School site has a paved area in its interior that is sequestered into areas of parking and active play area. The play area is “tucked” into an area bordered on the east and partially on the north and south by school buildings. Because the proposed buildings are for school use it is necessary that they be in this same immediate area with an internal connection for security and convenience reasons. The new addition is proposed as a perpendicular extension from the main school building, an area where some demolition of buildings would be necessary. The “logic” of this location is that the building with gym, cafeteria, classroom, and stage area can be connected to the existing school facility while preserving the interior play area to as great an extent as possible.

The mix of uses is a usual one for an institution such as this one. Locating critically important outdoor play areas for the younger elementary school aged students near the school buildings for safety and logistic convenience is a necessary and customary design condition. The size of that play area at approximately 125' by 75' provides an adequate, but by no means excessive, sized outdoor play area for the younger students. As such it does not go beyond the minimum necessary to afford relief.

3. *The granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the zone or vicinity in which the subject property is located;*

Intrinsic to the viability of the proposed front yard reduction along the north property line are two unique characteristics. One is that the code required setback is a second front yard setback, due to the through lot configuration of the subject parcel in a situation where a side yard setback might work equally as well. The other is that the existing street right-of-way is very wide, 100 feet, with a 25 foot two-way roadway (expanded by an additional 10 feet of pull out parking area along the school frontage. This leaves an area approximately 27 feet deep between the north property line and the street curb, planted with lawns and containing a sidewalk, which functions as additional setback.

Other properties in the segment of W. Dravus St. between N. 32<sup>nd</sup> St and N. 34<sup>th</sup> St., all of them single family uses, make a similar use of the “extra” street right-of-way by landscaping and maintaining it as if it is an extension of their individual yards. For some of these houses the W. Dravus St. frontage is a side yard and for some it is a front yard. All of them have modest setbacks on their own lots yet have the appearance of



extensive landscaped yards. The property to the west of the proposal site has an approximately 10 foot setback and a detached garage on the alley which is approximately two feet from the north property line. The house on the property to the east of the subject site is approximately

12.5 feet from its north property line. Two houses across the street from the proposed addition are approximately ten feet from their W. Dravus St. Property line.

The proposed school addition seeks a variance to allow only five feet of setback from the north property line where 20 feet would be required by SMC 23.44.014.D.3. This five feet in combination with the 27 feet of landscaped right-of-way area present and the 10 feet of additional “pull out” parking area would be adequate to maintain sufficient area to buffer the proposed building and keep it reasonably compatible with the surrounding uses and to not be materially detrimental to the public welfare or injurious to property or improvements in the zone of vicinity.

**4. *The literal interpretation and strict application of the applicable provisions or requirements of this Land Use Code would cause undue and unnecessary hardship or practical difficulties;***

Limitations imposed by the site and the uses taking place on it present a practical difficulty. The school functions as a single, connected, working element in an “L” shaped pattern, preserving outdoor, paved play area to the greatest extent possible. It is necessary to design the proposed, expanded school site in a careful manner, conserving limited site area for the church and school. Fitting it all on the site, including adequate on-site parking, presents a practical difficulty which would be relieved to some extent by reducing the setback from the north property line as proposed.

The proposed addition has two depths as measured from W. Dravus St. The easternmost portion contains two classrooms a hall, a cafeteria commons room, a lunch service area, a rehearsal room and a drama room/stage area. This portion of the building is 94 feet deep. Further west the gymnasium section is 115 feet deep. It is the easternmost area, where the building is narrowest that the most important outdoor play area is sought to be preserved. Moving the project in to a code compliant 20 feet of front yard setback would reduce the critical play area by approximately 1,120 sq. ft.

To lose this amount of play area space would present a practical difficulty for the school.

**5. *The requested variance would be consistent with the spirit and purpose of the Land Use Code regulations for the area.***

Schools are recognized as institutions necessary to provide services to residents of the city. The Seattle Land Use Code recognizes they are best placed in a close proximity to the residents they serve by allowing them in residential zones. Setbacks from property lines are required for principal structures in residential zones in reflection of a policy aimed to provide an overall character of landscaped setbacks and to control of height, bulk and scale impacts. While the requested setback is less than the Code mandated 20 feet in this front yard of a through lot, it is in this case supplemented by a landscaped 27 foot area associated with the unusual 100 foot wide right-of-way. In addition to the landscaped right-of-way area, another measure employed include saving existing mature trees and bushes displaced by the proposal and using them in the landscaped space to its north between the addition and W. Dravus St. The proposed building itself is designed in a way that limits its height, bulk and scale impacts. A smaller, 12 foot eight inch tall portion of the building faces W. Dravus St. with the taller gymnasium and commons portions set back a further 21 and 44 feet, respectively.



The proposed front yard encroachment is consistent with the spirit and purpose of the Land Use Code in that it will help an existing community asset continue to develop and improve its physical plant while still adequately controlling negative architectural impacts of the proposed new building.

**DECISION – VARIANCE:**

Variance to allow the addition to encroach 15 feet into the required 20 foot front yard setback - **GRANTED**. (SMC Section 23.44.022)

**ANALYSIS - ADMINISTRATIVE CONDITIONAL USE (SMC 23.44.022)**

The Land Use Code allows the expansion of existing institutions in residential zones through the administrative conditional use process. This proposal is subject to the development standards outlined in section 23.44.008 through 23.44.016 of the Seattle Municipal Code (SMC). The Director's decision has the authority to approve, condition or deny a conditional use application. This decision shall be based on the whether the proposed use will be materially detrimental to the public welfare or injurious to property. In addition to the general single family development standards institutions are subject to the standards of SMC 23.44.022. The applicable criteria used for evaluating and or conditioning the applicant's proposal are discussed below.

D. General Provisions

*New or expanding institutions in single family zones shall meet the development standards for uses permitted outright in Section 23.44.008 through 23.44.016 unless modified elsewhere in this subsection or in a Major Institution Master Plan.*

With the exception of the setback from the north property line which requires variance approval, the application plans show the proposal meets the applicable development standards enunciated in Section 23.44.008 through 23.44.016.

E. Dispersion

*The lot line of any proposed new or expanding institution, other than child care centers locating in legally established institutions, shall be located six hundred feet (600') or more from any lot line of any other institution in a residential zone, with certain exceptions.*

The lot lines of this institution are not changing.

F. Demolition of Residential Structures

*No residential structure shall be demolished nor shall its use be changed to provide for parking.*

No demolition of residential structures is proposed for parking; therefore, this criterion is not applicable.

G. Reuse of Existing Structures

*Existing structures may be converted to institution use if the yard requirements for institutions are met.*

The proposal is for new construction.

H. Noise and Odors

*For the purpose of reducing potential noise and odor impacts, the Director shall consider the location on the lot of the proposed institution, on-site parking, outdoor recreational area, trash and refuse storage areas, ventilating mechanisms, sport facilities, and other noise generating and odor-generating equipment, fixtures or facilities. The institution shall be designed and operated in compliance with the Noise Ordinance, Chapter 25.08.*

The proposed new building at Our Lady of Fatima School will house existing school uses in new indoor spaces. No increase in the number of students is expected to result from the new gym, stage, common room and two class room additions. The applicants have indicated that their student population is already sized to meet the service demand in the Magnolia community. Odors from the cafeteria kitchen are expected to be vented upward and should not create undesirable noise or odor impacts.

I. Landscaping

*Landscaping shall be required to integrate the institution with adjacent areas, reduce the potential for erosion or extensive stormwater runoff, screen parking from adjacent residentially zoned lots or streets or to reduce the appearance of bulk of the institution.*

Existing four inch caliper maple trees, rhododendron bushes and shrubs on the site are to be relocated into the north setback of the building. These mature plants will provide immediate landscape buffering of the north façade. No further condition is needed.

J. Light and Glare

*Exterior lighting shall be shielded or directed away from adjacent residentially zoned lots.*

All exterior lighting will direct light downward to minimize light and glare on neighboring residential properties.

K. Bulk and Siting

1. *Lot Area. If the proposed site is more than one (1) acre in size, the Director may require the following and similar development standards:*
  - a. *For lots with unusual configuration or uneven boundaries, the proposed principal structures be located so that changes in potential and existing development patterns on the block or blocks within which the institution is located are kept to a minimum.*

The proposal site is well over an acre in size. It does not have uneven or unusual boundaries.



- b. For lots with large street frontage in relationship to their size, the proposed institution reflect design and architectural features associated with adjacent residentially zoned block faces in order to provide continuity of the block front and to integrate the proposed structures with residential structures and uses in the immediate area.*

The proposal site does have a large street frontages and the proposed addition is along one of those frontages. The proposed addition is in the middle of the W. Dravus St. frontage. To the east is an existing school building. To the west is a house owned by the institution, an alley and, further west, the side yard of a single family house. The proposed addition looks very much like the school it would be. Materials are brick, metal and stucco. The new building would be expressed in three distinct elements with varying setbacks and heights.

Given the existing context, an existing school, the proposed addition is an appropriate architectural expression, fitting well with its context.

- 2. Yards. Yards of institutions shall be as required for uses permitted outright in Section 23.44.008, provided that no such structure other than freestanding walls fences, bulkheads or similar structures shall be closer than ten feet (10') to the side lot line. The Director may permit yards less than ten feet (10') but not less than five feet (5') after finding that the reduced setback will not significantly increase impacts, including but not limited to noise, odor and comparative scale, to adjacent lots zoned residential and there will be a demonstrable public benefit.*

The only yard the proposed addition is near is a front yard and is the subject of the variance analysis above.

- 3. Height Limit. A religious symbol and that portion of the roof supporting it, including but not limited to a belfry or spire, may be extended an additional twenty-five feet (25') above the height limit.*

This provision is not applicable.

- 4. Facade Scale. If any facade of a new or expanding institution exceeds thirty feet (30') in length, the Director may require that facades adjacent to the street or a residentially zoned lot be developed with design features intended to minimize the appearance of the bulk. Design features which may be required include, but are not limited to, modulation, architectural features, landscaping or increased yards.*

The proposed auditorium structure exceeds 30' in length. The measures outlined in this code section are incorporated to minimize the appearance of bulk. The proposed measures include the relocation of mature trees and bushes to be used along the street side of the proposed addition, varying of the setback from the street side property line so that there will be three distinct wall lines, creation of an expressed entry element, the use of brick, metal and stucco siding in distinct elements, and use of three different building forms at differing amounts of setback.

L. Parking and Loading Berth Requirements

*SMC 23.44.022.L provides that the Director may modify the parking and loading requirements of Section 23.54.15, required parking, and the requirements of Section 23.44.016, parking location and access, on a case by case basis using the information contained in the transportation plan prepared pursuant to Subsection M of this section. The modification shall be based on adopted City Policies and shall:*

- i. Provide a demonstrable public benefit such as, but not limited to, reduction of traffic on residential streets, preservation of residential structures, and reduction of noise, odor, light and glare; and*

No modification of parking requirements is requested.

- ii. Not cause undue traffic through residential streets nor create a serious safety hazard.*

Not applicable.

M. Transportation Plan

*A transportation plan shall be required for proposed new institutions and for those institutions proposing expansions which are larger than four thousand (4,000) square feet of the structure area and/or required to provide twenty (20) or more spaces.*

Public comment received has indicated that traffic congestion is a problem in the immediate area during a.m. drop of and p.m. pick up periods. Because there are 148 on-site parking spaces and only a small fraction of these are used during school hours, parking of persons working at or visiting the school does not appear to exceed on-site supply.

The Land Use Code requires that a transportation plan be developed and implemented for the 9,089 sq. ft. addition. It is therefore necessary to condition this project to develop such a plan. It shall be developed after consultation with nearby residents at two or more publicly noticed meetings. It shall include provisions to limit the traffic impacts of school operation on adjacent streets and alleys to the extent practicable. This plan shall be developed and presented to DPD for approval prior to occupancy of the new addition.

**DECISION - ADMINISTRATIVE CONDITIONAL USE**

The conditional use application is **CONDITIONALLY APPROVED**. (See conditions at end of report.)

## **ANALYSIS - SEPA**

The initial disclosure of the potential impacts from this project was made in the annotated environmental checklist dated November 10, 2003 and supplemental information in the project file. This information, along with the experience of the lead agency in similar situations, forms the basis for this analysis and decision.

Seattle Municipal Code (SMC) Section 25.05.660 provides that proposals can be conditioned or denied in order to mitigate environmental impacts. All conditions must be related to impacts identified in the environmental documents, based on adopted policies, and be reasonable and capable of being accomplished. This proposal is reviewed under that substantive SEPA authority.

The SEPA Overview Policy (SMC 25.05.665) establishes the relationship between codes, policies, and environmental review. Specific policies for specific elements of the environment, certain neighborhood plans, and other policies explicitly referenced may serve as the basis for exercising substantive SEPA authority.

The Overview Policy states in part:

"where City regulations have been adopted to address an environmental impact, it shall be presumed that such regulations are adequate to achieve sufficient mitigation (subject to some limitations)."

Under certain limitations/circumstances (SMC 25.05.665 D 1-7) mitigation can be considered. Thus, a more detailed discussion of some of the impacts is appropriate.

### **Short-Term Impacts**

The following temporary or construction-related impacts are expected: temporary increase in noise levels, increased congestion along roadways, increased on-street parking demand, increased levels of fugitive dust and fumes. Due to the temporary nature and limited scope of these impacts, they are not considered significant (SMC 25.05.794). Although not significant, these impacts are adverse and, in some cases, mitigation may be warranted.

Several adopted codes and/or ordinances provide mitigation for some of the identified impacts. Specifically these are: the Seattle Stormwater, Grading and Drainage Control Code (erosion control during construction); the Noise Ordinance (construction noise); and State Air Quality Codes administered by the Puget Sound Air Pollution Control Agency (air quality).

### **Construction Noise**

There will be demolition of some school buildings on the site and grading to prepare the building site, as well as other noise generating construction activities. Noise associated with the construction of the building could adversely affect the residential areas in the vicinity of the proposal site, particularly those directly across from the construction area on W. Dravus St. and to the west across the alley. Due to the proximity of residentially zoned areas in relation to the

proposal site, the limitations of the Noise Ordinance appear to be inadequate to protect the residential neighborhood. To minimize construction noise impacts to residential neighborhoods, DPD has conditioned projects of a similar scale to limit hours of construction to 7:00 A.M. to 6:00 P.M. on weekdays. This condition has been successfully applied in the past and will be imposed here.

The Department recognizes there may be occasions when critical construction activities of an emergency nature, related to safety or traffic issues, or that could substantially shorten the total construction time frame, may need to be completed after regular construction hours as conditioned herein. Therefore, the Department reserves the right to approve waivers of this restriction on construction hours. Such waivers must be approved by the Department on a case-by-case basis prior to such work.

It is also recognized that there are quiet non-construction activities that can be done at any time such as, but not limited to: site security, surveillance, monitoring for weather protection, checking tarps, surveying, landscaping, painting, and walking on and around the site and structure. These types of activities are not considered construction and will not be limited by the conditions imposed on this Master Use Permit.

In addition, after the building is fully enclosed, interior work may be done at any time in compliance with the Noise Ordinance with no pre-approval from the Department.

#### Public Streets and Alleys

The Checklist discloses that the top level of natural soil is a former creek bed and that there is sand, clay and peat moss to a depth of five feet with sand below. The area was filled and leveled at a time in the past, prior to construction of streets and private development. Public comment and observation indicates that the cement concrete surfaces of the adjoining streets and alleys has broken up in areas and in others shows tipped panels. The pavement of the two adjacent alleys, in particular, is broken into many pieces. Public comment has indicated that the condition of the alley deteriorated noticeably during the last period of construction on the Fatima site some years ago.

A connection between soil conditions and the unusual amount of pavement cracking and settling is plausible; as is the conclusion that there is a condition of unusual fragility in the existing street and alley pavement adjacent to the proposal site.

The construction process would involve the use of large heavy trucks traveling to and from the site, especially during excavation, concrete pouring and delivery of materials. It is deemed very possible that these trucks could cause substantial further damage to adjacent right-of-way paving. The project applicants should be held responsible for the repair of any damage caused to these areas during construction. Because the adjacent alleys are already badly deteriorated, the result of past heavy traffic, it is necessary to condition this project to prohibit the use of the two adjacent alleys by construction trucks and equipment. Personal vehicles of construction workers may use the alleys to access the parking lot within the site.

In the event that streets adjacent to the proposal site are further damaged as a result of construction-related activities it is reasonable to require the applicants to repair that damage. In order to adequately assess and preserve a record of the condition of these two street prior to construction to condition this proposal to require that a Seattle Department of Transportation Street Inspector be dispatched to inspect and photograph the alley right-of-ways adjacent to the proposal site and the W. Dravus St. and W. Barrett St. right-of-ways between 32<sup>nd</sup> Ave. W. and 34<sup>th</sup> Ave. W. The applicant shall request the same inspection and photography prior to issuance of a Final Certificate of Occupancy. The property owners will be responsible to make necessary repairs of damage occurring during the construction period and as a result of construction related activities or traffic.

### Long-Term Impacts

Long-term or use-related impacts are also anticipated from the proposal. These include: possible increase in light and glare; increased bulk and scale of the building; increased ambient noise due to increased human activity; increased traffic and parking and increased energy consumption. These long-term impacts are not considered significant because the impacts are minor in scope.

### Traffic and Parking

While the student and staff populations of the school are expected to remain constant some slight increase in both traffic and parking impacts are expected to occur due to additional use of the new gym for games and tournaments with other schools. These would happen on weekday evenings and weekend days; times outside of existing peak school-generated impacts. The increased traffic impacts are expected to be minor and the large amount of on-site parking available is expected to be sufficient to meet the demand generated. No SEPA conditioning of traffic and parking impacts is warranted.

### Bulk and Scale

While the proposed addition does represent a sizable increase in school building visible along W. Dravus St., as discussed in the variance and the conditional use sections above, these impacts are adequately mitigated by landscaped street right-of-way, setback, architectural form and landscaping. No SEPA conditioning of these impacts is warranted.

### Light and Glare

Glare describes a condition uncomfortable to observers resulting from a high disparity between the intensity of a light source and the background around it. It is typical for a light bulb seen directly, not reflected off a surface, to produce objectionable amounts of glare. School buildings and their surrounding grounds are typically well lit both for the use and the security of their users. In order to control the light and glare impacts of the proposed project it is necessary to use SEPA conditioning authority to require all exterior lighting be of low or moderate, not high, intensity and that all new lighting, interior or exterior be shielded so that the bulb itself is not directly observable from beyond the site property lines.

### Other Impacts

Several adopted codes, ordinances and agencies will appropriately mitigate the other use-related adverse impacts created by the proposal. Specifically, these are the Puget Sound Clean Air Agency (increased airborne emissions); the Seattle Noise Ordinance (noise from human activities) and the Seattle Energy Code (long-term energy consumption).

### **DECISION - SEPA**

This decision was made after review by the responsible official on behalf of the lead agency of a completed environmental checklist and other information on file with the responsible department. This constitutes the Threshold Determination and form. The intent of this declaration is to satisfy the requirement of the State Environmental Policy Act (RCW 43.21.C), including the requirement to inform the public of agency decisions pursuant to SEPA.

- [X] Determination of Non-Significance. This proposal has been determined to not have a significant adverse impact upon the environment. An EIS is not required under RCW 43.21C.030(2)(C).
- [ ] Determination of Significance. This proposal has or may have a significant adverse impact upon the environment. An EIS is required under RCW 43.21C.030(2)(C).

### **CONDITIONS**

#### During Construction

The following condition to be enforced during construction shall be posted at the site in a location on the property line that is visible and accessible to the public and to construction personnel from the street right-of-way. The conditions will be affixed to placards prepared by DPD. The placards will be issued along with the building permit set of plans. The placards shall be laminated with clear plastic or other weatherproofing material and shall remain in place for the duration of construction.

1. Construction activities, other than those taking place within the enclosed building, are limited to the hours of 7:00 A.M. to 6:00 P.M. on non-holiday weekdays. It is recognized that there may be occasions when critical construction activities of an emergency nature, related to safety or traffic issues may need to be completed after regular construction hours as conditioned herein. Therefore the Department reserves the right to approve waivers of these construction hour restrictions. Such waivers must be requested at least three business days in advance, and approved by the Department on a case-by-case basis prior to such work. After the building is fully enclosed, on a floor-by-floor basis, interior work may be done at any time in compliance with the Noise Ordinance with no pre-approval from the Department.

2. The use of the two adjacent alleys by construction trucks and equipment shall be prohibited. Personal vehicles of construction workers may use the alleys to access the parking lot within the site.
3. The applicant shall schedule a Seattle Department of Transportation Street Inspector to, prior to the commencement of construction activities, inspect and photograph the alley rights-of-way adjacent to the proposal site and the W. Dravus St. and W. Barrett St. rights-of-way between 32<sup>nd</sup> Ave. W. and 34<sup>th</sup> Ave. W. The applicant shall request the same inspection and photography prior to issuance of a Final Certificate of Occupancy. The property owners will be responsible to make necessary repairs of damage occurring during the construction period and as a result of construction related activities or traffic.

For the Life of the Project

4. All exterior lighting shall be of low or moderate, not high, intensity and all new lighting, interior or exterior, shall be shielded so that the bulb itself is not directly observable from beyond the site property lines.

**ADMINISTRATIVE CONDITIONAL USE**

Prior to Occupancy

1. A Transportation Management Plan shall be developed after consultation with nearby residents at two or more publicly noticed meetings. It shall include provisions to limit the traffic impacts of school operation on adjacent streets and alleys to the extent practicable. It shall include a requirement that there be subsequent public meetings with nearby residents each fall in perpetuity. This plan shall be developed and presented to DPD for approval prior to occupancy of the new addition.

For the Life of the Project

2. The elements of the approved Transportation Plan shall be implemented to limit the traffic impacts of school operation.

Signature: (signature on file) Date: May 20, 2004  
Scott Kemp, Senior Land Use Planner  
Department of Planning and Development